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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Iraq

1. At its 31st meeting, on 22 June 2011, the Working Group on Children and Armed Conflict examined the first report of the Secretary-General on children and armed conflict in Iraq (S/2011/366), covering the period from January 2008 to December 2010, which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Permanent Representative of Iraq to the United Nations also addressed the Working Group.

2. The members of the Working Group welcomed the report of the Secretary-General, submitted in accordance with Security Council resolutions 1612 (2005) and 1882 (2009), and the analysis and the recommendations contained therein met with a favourable response.

3. They welcomed the efforts made by the Government of Iraq to ensure the protection of children, in particular the commitment to adopt measures to criminalize the recruitment and use of children in armed conflict, the ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the signing of the Convention on Cluster Munitions and the steps taken to establish an intergovernmental committee on Security Council resolution 1612 (2005) to support the United Nations monitoring and reporting mechanism on children and armed conflict.

4. They noted that, despite these positive developments, the situation regarding children in Iraq remained very serious and complex. Overall, the restrictive security situation had hampered the work of the monitoring and reporting mechanism in collecting and verifying information on recruitment and use of children, killing and maiming of children, rape or other sexual violence against children, attacks against schools and hospitals, abductions and denial of humanitarian access.

5. They further noted that, throughout the country, several million landmines and explosive remnants of war, including unexploded submunitions, were still posing a consistent threat to children, contaminating an estimated area of 1,700 square kilometres.

6. They expressed particular concern at reports that children continued to be recruited and used by armed militias and used as suicide bombers, and that a large number of children were being killed, injured or maimed due to suicide bombs and attacks on schools, markets and public places. They called for an end to recruitment

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and use of children by armed groups, and in particular called for an immediate stop to use of children with mental disabilities as suicide bombers.

7. They expressed concern at reports that children might continue to be recruited and used by the Awakening Councils (also known as the "Sons of Iraq") and stressed the need for age verification procedures to preclude underage recruitment in Government-affiliated armed elements.

8. They encouraged the Government to follow up on commitments made to adopt additional measures to criminalize the recruitment and use of children in armed conflict by armed groups. They underlined the importance of granting, consistent with international law, the United Nations and relevant humanitarian organizations access to children held in detention facilities.

9. They expressed deep concern regarding the considerable number of cases in which children were killed or maimed in Iraq.

10. The Permanent Representative of Iraq:

(a) Expressed appreciation for the important role of the Special Representative of the Secretary-General for Children and Armed Conflict and her work on that issue;

(b) Noted that the report of the Secretary-General on children and armed conflict in Iraq (S/2011/366) covered a three-year period over which the security situation had improved dramatically, resulting in a significant decrease in the number of civilian casualties;

(c) Expressed the view that Al-Qaida in Iraq, although of diminished capacity, remained the main source of threats to adults and children, and added that the situation in his country did not constitute an armed conflict, and that the improved security situation should be better reflected in future reports of the Secretary-General;

(d) Reaffirmed that there were no children in the Iraqi security forces, and stressed that the recruitment of children was not allowed in militias such as the Awakening Councils, which had been integrated into the Iraqi army and police;

(e) Noted that some facts described in the report, such as the recruitment of children by the Mahdi Army, were outdated;

(f) Expressed the wish of his Government to invite the Special Representative of the Secretary-General for Children and Armed Conflict to undertake another visit to Iraq.

11. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005), 1882 (2009) and 1998 (2011), the Working Group agreed to the following direct action.

Public statement issued by the Chair of the Working Group

12. The Working Group agreed to address a message to the armed groups mentioned in the report of the Secretary-General through public statements by the Chair of the Working Group:

(a) *Expressing deep concern* about continuing violations and abuses committed against children in contravention of applicable international law in Iraq, such as the recruitment and use of children, killing and maiming of children, rape and other sexual violence, abduction, attacks against schools and hospitals and denial of humanitarian access;

(b) *Condemning* in the strongest possible terms the practice of armed groups, such as Al-Qaida, of recruiting and using children, including those with mental disabilities, as suicide bombers, and calling for the immediate disbandment of its so-called youth wing "Birds of Paradise";

(c) *Strongly urging* them to immediately halt violations and abuses against children as called for in Security Council resolutions 1539 (2004), 1612 (2005), 1882 (2009) and 1998 (2011), and to release all children remaining within their ranks.

13. The Working Group agreed to address a message to civil and religious leaders in Iraq urging them to publicly condemn the use of children, especially as suicide bombers, and to engage with the Government of Iraq, in cooperation with the United Nations Assistance Mission for Iraq (UNAMI), the United Nations Children's Fund (UNICEF) and other child protection partners, to prevent any kind of violation and abuses against children in contravention of applicable international law in Iraq.

Recommendations to the Security Council

14. The Working Group agreed to recommend that the President of the Security Council transmit the following letters:

Letter to the Government of Iraq

(a) *Welcoming* the steps taken by the Government to enhance the protection of children in Iraq, in particular those taken towards establishing an intergovernmental committee on Security Council resolution 1612 (2005) to support the monitoring and reporting mechanism on children and armed conflict;

(b) *Also welcoming* the acceptance by the Government of Iraq of the recommendation by the Human Rights Council during the universal periodic review to adopt measures to criminalize the recruitment and use of children in armed conflict, and requesting it to implement those measures by taking all appropriate legal and judicial measures against the recruitment and use of children;

(c) *Urging* the Government of Iraq to ensure that the rules of engagement of all security forces in Iraq include special protection measures for children and are realized fully throughout Iraq, and encouraging it to work closely with UNAMI and UNICEF to take appropriate child protection measures;

(d) *Strongly encouraging* the Iraqi security forces to cooperate closely with the UNAMI child protection section to devise a training regime to prevent violations and abuses against children and to implement an "alert system" to immediately apprise the country task force on monitoring and reporting of possible violations and abuses against children;

(e) *Recommending* that the Government of Iraq develop appropriate age verification procedures with respect to the Awakening Councils, and that it take appropriate measures to improve the protection of children through a final screening

of all remaining Awakening Council members in coordination with child protection partners in Iraq;

(f) *Requesting* the Government of Iraq to grant, consistent with international law, the United Nations, in particular special procedures of the Human Rights Council, and relevant humanitarian organizations, full access to children in detention facilities at all stages of the judicial process, and to work with UNAMI and UNICEF to develop ways to prevent prolonged detention and identify alternatives where possible;

(g) *Encouraging* the Government of Iraq to continue its cooperation with non-governmental organizations and the country task force on monitoring and reporting with a view to halting violations and abuses committed against children, as stipulated by the Security Council in its resolutions 1612 (2005) and 1882 (2009) and 1998 (2011).

Letter to the Secretary-General

(a) *Welcoming* the efforts of his Special Representative in Iraq to strengthen the child protection capacity of UNAMI, including by the deployment of a child protection adviser, and encouraging further efforts in this regard;

(b) *Requesting* the Secretary-General, through UNAMI and UNICEF, to devise ways to ensure the proper deployment and outreach of child protection actors throughout the territory of Iraq;

(c) *Also requesting* the Secretary-General to direct the country task force on monitoring and reporting in Iraq to exchange relevant information with and make recommendations and provide necessary assistance to the intergovernmental committee on Security Council resolution 1612 (2005) established by the Government of Iraq.

To the Security Council

(a) *Recommending* that, when discussing the mandate of UNAMI, the Council continue to take into account the situation of children affected by armed conflict in Iraq and the need for UNAMI to be able to adequately carry out the child protection component of its mandate;

(b) *Inviting* the Security Council to transmit the present document to the Security Council Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities.

Direct action by the Working Group

15. The Working Group also agreed that letters should be addressed from the Chair:

To the World Bank and donors

Stressing the critical child protection needs in Iraq and calling upon the donor community to support the United Nations and its partner organizations on the ground in scaling up their monitoring and reporting activities, as well as to support them and the Government of Iraq in implementing national programmes and initiatives designed to enhance the protection of children in Iraq.